

FIFTY-FIRST DAY

(Tuesday, April 20, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton Hall

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Hardeman, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 15, 1965, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Creighton was granted leave of absence for today to discharge his duties as Governor-for-the-Day on motion of Senator Herring.

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Communication from the Lieutenant-Governor

Austin, Texas,
April 20, 1965.

Honorable A. M. Aikin
State Senator
Capitol Station
Austin, Texas

Dear Senator:

This letter is to request that you

preside over the Senate and discharge the duties of this office today, April 20, in the absence of myself and that of the President Pro Tempore, Senator Tom Creighton.

Sincerely,
PRESTON SMITH
Lieutenant Governor

Resolution Signed

The Acting President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 81, Congratulating Lloyd N. Hand and his family.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on H. C. R. No. 15 by a non record vote.

S. C. R. No. 74, Requesting the Governor to return S. B. No. 34 for further consideration and correction.

S. B. No. 28, A bill to be entitled "An Act making it unlawful for any person accused or convicted of a misdemeanor and confined in jail to escape therefrom or the lawful custody of an officer or any other person authorized by law to have such person in his custody; defining terms; prescribing a penalty for violation thereof; enacting other provisions relating to the subject; and declaring an emergency."

(With amendment.)

S. B. No. 48, A bill to be entitled "An Act relating to the appointment, compensation and duties of a shorthand reporter for the 146th Judicial District of Texas and declaring an emergency."

(With amendment.)

S. B. No. 160, A bill to be entitled "An Act transferring control and management of East Texas State College from the Board of Regents of the State Teachers' Colleges to a new

body to be called the Board of Regents of East Texas State College; providing for the creation of a Governing Board to be appointed by the Governor and confirmed by the Senate with residential limitations as to board members and their length of term of office; etc.; and declaring an emergency."

(With amendment.)

S. B. No. 487, A bill to be entitled "An Act authorizing the Board of Directors of Texas A&M University to accept James Connally Air Force Base on behalf of the State of Texas and to establish thereon the James Connally Technical Institute of Texas A&M University offering vocational and vocational-technical education programs; providing severability; and declaring an emergency."

(With amendment.)

S. C. R. No. 54, Granting permission to Louis D. Wusterhausen and Maxine Kissman to sue the State of Texas, etc.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Moore submitted the following report:

Austin, Texas,
April 15, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education to which was referred H. B. No. 725, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Herring submitted the following report:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 75, have had the same under consideration, and I am instructed to report it back to the Senate

with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senate Bill 515 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Patman:

S. B. No. 515, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Karnes County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 516 on First Reading

Senator Hazlewood moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton Hall

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 516, A bill to be entitled

"An Act authorizing the Board of Regents of the State Teachers' Colleges to lease on behalf of West Texas State University, certain land to fraternities and sororities; and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 517 on First Reading

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton Hall

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Parkhouse:

S. B. No. 517, A bill to be entitled "An Act authorizing hospital districts located in counties having a population in excess of 900,000 according to the most recent Federal census to construct, enlarge, furnish, equip and operate a parking station or stations in the vicinity of any hospital within such districts; authorizing such hospital districts to lease said parking stations; authorizing the issuance of revenue bonds for such purposes; prescribing the procedure for the issuance of such bonds and the method of paying and securing the payment thereof; authorizing the issuance of refunding bonds; containing a severability clause; enacting

other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 518 on First Reading

Senator Cole moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton Hall

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Cole and Parkhouse:

S. B. No. 518, A bill to be entitled "An Act relating to the appointment and compensation of official shorthand reporters of civil and criminal district courts and county courts at law in certain counties; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 519 on First Reading

Senator Hightower moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton	Hall
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hightower:

S. B. No. 519, A bill to be entitled "An Act to amend the Insurance Code of Texas, as amended, by adding a new article designated as Article 3.39b; to authorize the issuance of contracts of insurance on a variable basis subject to rules and regulations of the State Board of Insurance; to provide for the investment of amounts allocated to one or more separate accounts, and the valuation of assets therein; to require essential features of contract to be stated therein; requiring the Commissioner of Insurance to consider qualifications of companies; to permit amendment of charters pertaining to voting rights for separate account contract owners; authorizing and directing the State Board of Insurance to promulgate rules and regulations; to provide that such act is cumulative and severable; and declaring an emergency."

To the Committee on Insurance.

**Senate Joint Resolution 45
on First Reading**

Senator Reagan moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a Joint Resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton	Hall
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The following Joint Resolution was then introduced, read first time and referred to the Committee indicated:

By Senator Reagan:

S. J. R. No. 45, Proposing an Amendment to Section 3-b of Article VII of the Constitution of Texas providing that school taxes theretofore voted in any independent school district or in any junior college district shall not be abrogated, cancelled or invalidated by a change in boundaries nor shall bonds voted, but unissued, at the time of such change, be invalidated by such change; authorizing the levy of taxes after such change without further election in the district as changed; providing an exception in the case of the annexation or consolidation of whole districts; providing for an election and the issuance of a proclamation therefor.

To the Committee on Constitutional Amendments.

Senate Bill 520 on First Reading

Senator Kazen moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Calhoun
Bates	Cole
Blanchard	Colson

Crump	Patman
Dies	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers
Herring	Schwartz
Hightower	Snelson
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moore	Word
Parkhouse	

Absent—Excused

Creighton	Hall
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Kazen:

S. B. No. 520, A bill to be entitled "An Act relating to the amount of bond required by the surviving spouse for community administration; amending Section 165, Texas Probate Code; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 521 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Kazen:

S. B. No. 521, A bill to be entitled "An Act relating to the creation of the Hospital District of Maverick County, Texas by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Resolution 504

Senator Hardeman offered the following resolution:

Whereas, Following the tragedy of November 22, 1963, and its accompanying grief which reached "the flaming ramparts of the world," amidst the sadness of the hour, nevertheless, there was assurance and confidence for the future as the leadership of our country passed into the capable and experienced hands of Lyndon Baines Johnson as the 36th President of the United States; and

Whereas, This native son of Texas

had served his State and Country with honor and distinction for almost thirty years as Representative in Congress, as a member of the United States Senate, during which time he served most effectively as the majority leader, as Vice President and since the date aforesaid, as President, to fill out the unexpired term of the late President Kennedy, and having been elected in November, 1964 for a full term of his own by the biggest majority ever accorded a candidate in the United States; and

Whereas, it is deemed to be proper and circumspect to honor our President, as well as honoring the State, by placing within the Senate Chamber a portrait of our President, Now, Therefore, be it

Resolved by the Senate of Texas that the President of the Senate appoint a Committee for the purpose of arranging for a portrait of the President, approved by him, to be paid for out of the Contingent Expense Fund of the Senate, and providing for its permanent display in the Senate Chamber.

**HARDEMAN
CRUMP
MOORE
BATES
CALHOUN
HIGHTOWER
PARKHOUSE**

Signed—Lieutenant Governor Preston Smith; Aikin, Blanchard, Cole, Colson, Creighton, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Word and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Resolution 505

Senator Cole offered the following resolution:

Be it resolved by the Senate of Texas that the Enrolling Clerk be directed to correct S. B. No. 123 by amending the caption to conform to

the body of the bill by adding a severability clause to such caption; and by amending Section 13(c) by changing the word "or" between the words "guardian" and "any" to read: "of", in the fourth line of said sub-section (c).

The resolution was read and was adopted.

Senate Resolution 506

Senator Ratliff offered the following resolution:

Whereas, Our colleague in the Senate of the 59th Legislature, Senator Dorsey B. Hardeman of San Angelo, has recently received the highest honor within the gift of the Sons of the Republic of Texas—the bestowal upon him of the honorary degree of "Knight of the Order of San Jacinto"; and

Whereas, The Order was created by General Sam Houston as "a reward for the worthy," and was revived in 1941 after an old Houston letter was discovered which mentioned and discussed the "Knights of San Jacinto"; and

Whereas, Investiture as a "Knight" by the Sons of the Republic of Texas comes only to one who is either an active or honorary member of that organization and who, in addition, has performed an outstanding service to or made a sacrifice beyond the bounds of duty in behalf of the State of Texas, or has, by his efforts, contributed to the development of the heritage of Texas; and

Whereas, When Senator Hardeman was elected to the Order on April 10, 1965, he joined the ranks of such distinguished and prominent Texans as Admiral Chester W. Nimitz, famous Texas artist E. M. Schiwetz, and former Governor Allan Shivers; and

Whereas, The Senate of Texas is proud that a fellow member has received this great honor so justly deserved in tribute to his interest in and endeavor to preserve the history and heritage of our magnificent State; Now, Therefore, be it

Resolved, That the Senate of Texas by this Resolution commend Senator Hardeman for his zeal in furthering the ideals of our forebears and congratulate him upon the recognition he has received; and be it further

Resolved, That a copy of this Resolution under the Seal of the Senate

of Texas be prepared for Senator Dorsey B. Hardeman, Knight of the Order of San Jacinto, in token of the respect, esteem and affection of this body for him.

RATLIFF

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Senate Resolution 507

Senator Strong offered the following resolution:

Whereas, Today, the twentieth day of April, 1965, marks the ninetieth birthday of a most gracious lady, Margie E. Neal, and

Whereas, Margie E. Neal, daughter of William L. Neal who came to Panola County, Texas, in 1856, was born in Panola County in 1875, and

Whereas, Margie E. Neal received a teachers certificate at Sam Houston State College in 1892 and began to teach school until 1904, and

Whereas, In 1904, Miss Neal began a newspaper career purchasing Texas Mule, a Panola County weekly newspaper and changed the name to The East Texas Register, and

Whereas, Miss Neal continued activities in newspaper work until 1912, and

Whereas, In 1918, Miss Neal became the first woman member of the first Democratic Executive Committee and in 1920 was a delegate to the Democratic Convention in San Francisco, which was the first year when ladies were delegates, and

Whereas, In 1927, Miss Neal took her seat in the Senate, which was the 40th Legislature, being the first woman to be elected to serve in the State Senate in Texas, where she served two terms and served as Vice-Chairman of the Educational Affairs Com-

mittee and Chairman of the Committee on Rules and the Committee of Privileges and Elections, and

Whereas, Miss Neal was active in educational affairs and was primarily responsible for the formation of the State Board of Education, and

Whereas, Miss Neal sponsored legislation and resolution adopting "Texas, Our Texas" as State Song, and

Whereas, In 1932, Miss Neal served as State Co-Chairman of the Roosevelt-Garner Campaign Committee and in 1934, after completing her second term as State Senator of Texas, offered her many talents and services to our national government and served with distinction with the N.I.R.A., the Social Security Board, and the War Manpower Commission, and

Whereas, Miss Neal retired from active public work in 1945, and since that time has lived in Panola County where she has been active in hospital, church, and other civic affairs as well as personal real estate development, and

Whereas, It is the wish of the members of the Senate of Texas to extend their warmest greetings and felicitations to this grand and gracious lady on this 90th anniversary of her birth in recognition of the distinguished, untiring, and notable service which she has performed for her Nation, State, and local community so unselfishly; now, therefore, be it

Resolved, By the Senate of Texas, That Miss Margie E. Neal be extended its fondest wishes for a happy and enjoyable 90th birthday with God-speed for health and happiness for many years to come.

STRONG

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Watson, Word.

The resolution was read.

On motion of Senator Parkhouse and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 517, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 515, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 518, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 412, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Snelson by unanimous consent submitted the following reports:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 203, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 432, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
April 15, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be branch pilots for the Ports of Galveston County, for two-year terms to expire April 1, 1967: Albert F. Schurig of Galveston, Galveston County; Ereal H. Goodwin of Galveston, Galveston County; Harry L. Coker, Jr., of Galveston, Galveston County. For a two-year term to expire April 15, 1967: Ernest E. Lance of Galveston, Galveston County.

Respectfully submitted,

JOHN CONNALLY,
Governor of Texas.

House Bill 432 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent H. B. No. 432 was ordered not printed.

Senate Bill 517 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 517 was ordered not printed.

House Bill 725 Ordered Not Printed

On motion of Senator Cole and by unanimous consent H. B. No. 725 was ordered not printed.

Senate Bill 518 Ordered Not Printed

On motion of Senator Cole and by unanimous consent S. B. No. 518 was ordered not printed.

House Bill 203 Ordered Not Printed

On motion of Senator Snelson and by unanimous consent H. B. No. 203 was ordered not printed.

Senate Bill 516 Re-referred

On motion of Senator Hazlewood and by unanimous consent S. B. No. 516 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Education.

Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 521, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senate Bill 487 With House Amendment

Senator Watson called S. B. No. 487 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 487, Section 2 Subsection c, by striking the word "or" after the words "vocational education" and inserting in lieu thereof the word "and."

The House amendment was read.

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 28 With House Amendments

Senator Parkhouse called S. B. No. 28 from the President's table for con-

sideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Senate Bill 28 by striking out the word "accused" wherever it appears therein and substituting in lieu thereof the words "formally charged with."

Amendment No. 2

Amend S. B. No. 28 by striking the words "less than six (6) months nor" on line 46 of page one of the printed copy of the bill.

The House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 508 on Second Reading

On motion of Senator Richter and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 508, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers Colleges to accept for the use and benefit of the Southwest Texas State College certain land in Hays County, Texas, to be conveyed by the United States government; making other provisions relating thereto; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 508 on Third Reading

Senator Richter moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 508 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Calhoun
Bates	Cole
Blanchard	Colson

Crump	Patman
Dies	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers
Herring	Schwartz
Hightower	Snelson
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moore	Word
Parkhouse	

Absent—Excused

Creighton	Hall
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton	Hall
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Senate Bill 521 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent S. B. No. 521 was ordered not printed.

Birthday Greetings Extended to Senator Ratliff

Senator Parkhouse by unanimous consent presented Senator Ratliff to the Members of the Senate and birthday greetings were extended to him on his birthday today.

Motion to Place Senate Bill 59 on Second Reading

Senator Word asked unanimous consent to suspend the regular order of business and take up S. B. No. 59 for consideration at this time.

There was objection.

Senator Word then moved to suspend the regular order of business and take up S. B. No. 59 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Krueger
Blanchard	Parkhouse
Calhoun	Ratliff
Colson	Reagan
Crump	Richter
Hardeman	Rogers
Harrington	Schwartz
Hightower	Snelson
Kazen	Word

Nays—10

Bates	Kennard
Cole	Patman
Dies	Spears
Hazlewood	Strong
Herring	Watson

Present—Not Voting

Moore

Absent—Excused

Creighton Hall

**Motion to Place Senate Bill 56
on Second Reading**

Senator Moore asked unanimous consent to suspend the regular order of business and take up S. B. No. 56 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S. B. No. 56 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Moore
Cole	Parkhouse
Colson	Ratliff
Dies	Reagan
Harrington	Rogers
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Krueger	

Nays—11

Bates	Patman
Calhoun	Richter
Crump	Schwartz
Hardeman	Snelson
Kazen	Word
Kennard	

Absent

Blanchard

Absent—Excused

Creighton Hall

**Motion to Place Senate Joint
Resolution 6 on Third Reading**

Senator Moore moved to suspend the regular order of business to take up Senate Joint Resolution No. 6 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Moore
Cole	Parkhouse
Colson	Patman
Harrington	Reagan
Hazlewood	Schwartz
Herring	Snelson
Kazen	Strong
Kennard	Watson
Krueger	

Nays—11

Bates	Ratliff
Calhoun	Richter
Crump	Rogers
Dies	Spears
Hardeman	Word
Hightower	

Absent

Blanchard

Absent—Excused

Creighton Hall

Reports of Standing Committees

Senator Moore by unanimous consent submitted the following reports:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B.

No. 495, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 516, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 624, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RATLIFF, Chairman.

Senator Moore by unanimous consent submitted the following reports:

Austin, Texas,
April 15, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 303, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
April 15, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 329, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Senate Joint Resolution 35 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 35, Proposing an amendment to Section 21 of Article 16 of the Constitution of the State of Texas so as to not require approval by the Governor, Secretary of State and the Comptroller of certain materials and services purchase contracts.

The resolution was read second time and passed to engrossment.

Senate Joint Resolution 35 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Bates	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Harrington	Schwartz
Hazlewood	Snelson
Herring	Spears
Hightower	Strong
Kazen	Watson
Kennard	Word
Krueger	

Absent

Blanchard	Hardeman
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Absent—Excused

Creighton	Hall
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The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Bates
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Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Crump	Ratliff
Dies	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Snelson
Hightower	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word

Absent

Blanchard

Absent—Excused

Creighton Hall

Presentation of Guests

Senator Hightower by unanimous consent presented his sister, Mrs. Hugh Lilly and her daughters, Patricia and Jane of Houston to the Members of the Senate.

Senate Bill 495 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent S. B. No. 495 was ordered not printed.

Senate Bill 516 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent S. B. No. 516 was ordered not printed.

House Bill 329 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent H. B. No. 329 was ordered not printed.

House Bill 624 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent H. B. No. 624 was ordered not printed.

House Bill 303 Ordered Not Printed

On motion of Senator Blanchard and by unanimous consent H. B. No. 303 was ordered not printed.

Bills Signed

The Presiding Officer signed in the presence of the Senate after the caption had been read, the following bills:

S. B. No. 228, A bill to be entitled "An Act relating to the compensation of the judge of county court-at-law

of McLennan County; and declaring an emergency."

S. B. No. 506, A bill to be entitled "An Act relating to the creation, establishment, maintenance and operation of a hospital district in accordance with the provisions of Section 9 of Article IX of the Constitution of the State of Texas, to be known as the Palo Pinto County Hospital District, etc., and declaring an emergency."

Senate Bill 187 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 187 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. B. No. 187 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Crump	Reagan
Dies	Richter
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Nays—2

Rogers	Schwartz
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Absent—Excused

Creighton	Hall
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The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 187, A bill to be entitled "An Act conferring upon the Board of Regents of The University of Texas the power of eminent domain to acquire land for the use of The University of Texas System; exempting said Board from depositing a bond as provided in Section 2 of Article 3286,

Revised Civil Statutes of Texas of 1925; and declaring an emergency."

The bill was read second time.

Senator Schwartz offered the following amendment to the bill:

Amend S. B. No. 187 by adding a new Section 2 and renumbering the Sections which follow.

Sec. 2. The power of eminent domain granted herein shall not apply to and may not be used for acquisition of land for the use of the University of Texas Medical Branch at Galveston.

The amendment was read.

Question—Shall the amendment by Senator Schwartz to S. B. No. 187 be adopted?

Welcome Resolutions

S. R. No. 501—By Senator Schwartz: Extending welcome to members and sponsors of Girl Scout Cadette Troop No. 542.

S. R. No. 502—By Senator Watson: Extending welcome to Group of Camp Fire Girls of Temple.

S. R. No. 503—By Senator Colson: Extending welcome to students and teachers of Navasota High School.

S. R. No. 509—By Senator Herring: Extending welcome to students and teacher of Lamar Junior High School of Austin.

Adjournment

Senator Hardeman moved that the Senate take recess until 2:00 o'clock p.m. today.

Senator Krueger moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Question first on the motion to adjourn until 10:30 o'clock a.m. tomorrow, Yeas and Nays were demanded.

The motion prevailed by the following vote:

Yeas—18

Aikin	Harrington
Bates	Hightower
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Reagan

Richter
Schwartz
Snelson

Spears
Strong
Watson

Nays—11

Crump
Dies
Hardeman
Hazlewood
Herring
Moore

Parkhouse
Patman
Ratliff
Rogers
Word

Absent—Excused

Creighton

Hall

Accordingly the Senate at 12:10 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 506, "An Act relating to the creation, establishment, maintenance and operation of a hospital district in accordance with the provisions of Section 9 of Article IX of the Constitution of the State of Texas, to be known as the Palo Pinto County Hospital District, with boundaries coextensive with the boundaries of Palo Pinto County, Texas; defining its purposes; providing for its administration, operation, financing, taxing powers and liabilities; prescribing procedures; providing for severability; reciting proof of publication of constitutional notice; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-

grossed and Enrolled Bills, to which was referred:

S. B. No. 228, "An Act relating to the compensation of the judge of county court-at-law of McLennan County; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 226, "An Act authorizing the appointment of a court reporter for the County Court at Law of McLennan County; amending Section 10, Chapter 248, Acts of the 52nd Legislature, 1951; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 174, "An Act authorizing the Board of Regents of East Texas State College to accept from the City of Commerce, Texas, a gift of land owned by that city; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 407, "An Act relating to the transfer of the operation, management, and direction of Arlington State College to the Board of Regents of The University of Texas; amending Section 2, Chapter 459, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

April 20, 1965

S. B. No. 506

S. B. No. 228

In Memory of Dr. Harmon Lowman

Senator Colson offered the following resolution:

(Senate Concurrent Resolution 76)

Whereas, On January 26, 1964, the State of Texas lost one of its most prominent and highly respected citizens and educators in the passing of Dr. Harmon Lowman, seventh President of Sam Houston State Teachers College at Huntsville, Texas; and

Whereas, During his sixty-nine years, Dr. Lowman contributed far more than his share to the progress and welfare of his state and country; and

Whereas, He was born on November 30, 1894, in Staples, Texas, to Quincy Joseph and Nellie (Scott) Lowman; and after attending rural schools, he attended Coronal Institute, San Marcos, Texas, 1909-11; Washington and Lee University, 1915-17; Southwest Texas State College where he received his BA Degree in 1924; his MA from the University of Texas in 1925 and his PHD from the University of Chicago in 1930; and

Whereas, After teaching in the rural schools of Texas, 1921-25, Dr. Lowman served as Director of the Demonstration School and professor at Stephen F. Austin State College, Nacogdoches, 1925-36; Superintendent of Livingston and Goose Creek Public Schools and President of Lee Junior College 1936-40; and served as Executive Secretary of Southern Methodist University, before becoming President of Sam Houston State Teachers College in 1941; and

Whereas, He came to the College when the student enrollment was only 1,200 and the campus had twenty-one buildings, but during his tenure he saw enrollment more than quadrupled to 5,200 and the College plant expanded from twenty-one to seventy-eight buildings; and

Whereas, Dr. Lowman devoted a total of forty-four years to education in Texas, twenty-two of which were served at Sam Houston where he earned a record of extending his heart as well as his mind to his students who affectionately called him "Doc" and the "Great White Father"; and

Whereas, This great educator's personal attention to student problems became a tradition, with his counsel ranging from advice to love-sick coeds to improvements in study methods whereby laggard students might complete their college work; and

Whereas, Although he loved all his students, perhaps it was his experience in working his way through school that gave him a sympathetic understanding of the problems of the underprivileged, many of whom he personally gave financial aid or took into his home so that they could continue their education; and

Whereas, Dr. Lowman was known as a students' president, yet he more than once jeopardized his own position to defend a member of his faculty. He felt that everyone deserved a second chance, and a troubled staff member received that chance; and

Whereas, He was a devoted husband and father, and was quick to share the credit for his success with Mrs. Lowman, the former Marguerite Hightower, whom he married on April 6, 1918. Together they inspired in the young people of the College almost a parental love; and

Whereas, After volunteering for military service the second day of World War I and attending the first Officer Training School where he attained the rank of First Lieutenant, he served with the 345th Field Artillery in the 90th Division in 1917-19; and

Whereas, In 1959, the Lowmans were honored with an appreciation dinner, attended by some nine hundred local, state and national dignitaries, at which the esteem and

affection of the faculty and other college personnel were demonstrated when the Lowmans were presented a check to finance a three-month trip to Europe and the Holy Land; and

Whereas, Two memorials to the white-haired President are to be found on the college campus: the \$1.8 Million Lowman Student Center and the Lowman Chapel of the Wesley Foundation, the latter being named for both Dr. and Mrs. Lowman; and

Whereas, A member of the First Methodist Church in Huntsville, he served in various lay capacities in the Methodist Conference and observed in his daily living the highest objectives of Christianity and Methodism; and

Whereas, He was a member of the Texas State Teachers Association, National Education Association, Phi Delta Kappa, Kappa Delta Phi, Rotary Club, Huntsville-Walker County Chamber of Commerce, and the Masonic Lodge. He is listed in Who's Who in American Education and Who's Who in the Southwest; and

Whereas, Dr. Lowman was a man whose life inspired and ennobled the spirit of those about him. All who were fortunate enough to know him share alike the appreciation and admiration of his great ability, his noble character, his rewarding participation in many phases of public, civic, cultural, educational and religious activities and his devoted interest in his fellowman; and

Whereas, Because of the fullness of his years, Dr. Lowman's loving character, constructive record and worthwhile contributions will dwell in the minds of the thousands whose lives were made finer, whose devotion and zeal to service for humanity were enkindled and nourished by the glow of his friendship and the inspiration of his useful life; and

Whereas, This Legislature wishes to pay tribute to Dr. Lowman as a great educator and humanitarian in recognition of his long and fruitful service to the State of Texas; now, therefore, be it

Resolved, By the Senate of the 59th Legislature of the State of Texas, the House of Representatives concurring, That we extend our heartfelt sympathy to the family of this great Texan: his wife, Mrs. Harmon Lowman of Huntsville, Texas; two sons, Bill Lowman of Friendswood and Harmon Lowman, Jr., San Angelo; two sisters, Mrs. Roy Cabiness of Lockhart and Mrs. Roy Landers of El Paso; four brothers, Lawrence Lowman of Houston, Horace Lowman of Floresville, Travis Lowman of Corpus Christi; O. J. Lowman of Victoria and his six grandchildren; that we express appreciation for his invaluable services by directing that a page in the Journal be set aside as a memorial to him; and, be it further

Resolved, That official copies of this Resolution be sent to his family, and that when the Senate adjourns today, it do so in solemn tribute to Harmon Lowman who often said, "I had rather be President of Sam Houston State Teachers College than President of the United States," and whose life and deeds will live long in the memory of this State and in the hearts of his multitude of friends.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

George Dickinson

Senator Strong offered the following resolution:

(Senate Resolution 508)

Whereas, On Wednesday, April 14, 1965 Our Heavenly Father called from his earthly home one of our great citizens and prominent businessmen of Longview, Texas, George Dickinson; and

Whereas, Mr. Dickinson was born in Garland, Texas, and came to Longview with his parents, Reverend and Mrs. George D. Dickinson at an early age; and

Whereas, Mr. Dickinson went into the insurance business with his father upon his return from World War II, where he distinguished himself as a Navigator in the United States Air Force, and he remained active in the business of Harrison and Dickinson Insurance Company until becoming ill several months ago; and

Whereas, He was a member of the First Christian Church in Longview; and

Whereas, He was active in many of the city's civic and business affairs and he was a member of the City Commission of Longview for a number of years; now, therefore, be it

Resolved, That the Senate of Texas does hereby express its deep and abiding sympathy to the members of his family and that copies of this Resolution under seal of the Senate, be sent to his survivors, his wife Mrs. Eloise Dickinson, two daughters, Carol and Elaine Dickinson, a son, Logan, and his parents, all of Longview; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to George Dickinson and that when the Senate adjourns today it do so in his memory.

The resolution was read and was adopted by a rising vote of the Senate.